

REMARKS

Applicant would like to thank the Examiner for the thorough review of the present application. As discussed in detail below, the present claims in the present application include recitations that patently distinguish the claimed invention over the cited references, taken individually or in combination. Based upon the following remarks, Applicant respectfully requests reconsideration of the present application and allowance of the pending claims.

Amendments to the Claims

Kindly cancel claim 36. Claims 1, 12, 13, 14, 23, 34 and 35 are currently amended. Claims 1-35 and 37-38 are pending in the present application.

Specifically, claims 1, 14 and 23 have been amended to distinguish the claimed invention from the teachings of the cited 35 U.S.C. §102(b) and 35 U.S.C. §103(a) references. The limitations that were previously included in currently cancelled claim 36 have been incorporated into claims 1, 14 and 23.

Additionally, claims 12-13 and 34-35 have been amended to eliminate the redundant phrase “vertical icon spacing,” as pointed out by the Examiner’s objection.

Distinguishing arguments are presented below.

Claim Objections

Claims 12-13 and 34-35 stand objected to because of typographical errors. Specifically, the objection addresses the redundancy of the term “vertical icon spacing”. The claims have been amended to eliminate the redundant term.

Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 8-16, 21-25 and 30-35 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,903,265, issued to Bogdan (hereinafter, the Bogdan patent). Applicant respectfully submits that these rejections are overcome by the following arguments.

The Bogdan Patent Does Not Teach or Suggest Backing Up the Display Properties Occurring Automatically in Response to the Inputs for a New Icon Appearance Being Received from the User Through the Icon Control Window and Being Performed Immediately Prior to Changing the at Least One Sample Icon's Appearance.

Independent claims 1, 14 and 23 have been amended to further limit the claimed invention by requiring that backing up the display properties of the display screen occur automatically in response to the inputs for a new icon appearance being received from the user through the icon control window. Support in the specification for this limitation can be found at paragraph [0026], lines 3-9 of the application as filed (paragraph [0028] of the United States Published Application No. 20040090470), which states, “The first step is to back up the icon-related display properties of the display system, which are set to the original icon appearance of the display system, in the memory unit 40 (S1). Next, the second step is to display an icon control window including one or more sample icons upon receiving a user's request (S2). The third step of the method shown in FIG. 2 is to change the sample icon's appearance in accordance with the user's inputs received through the icon control window (S3). *The step of backing up the original display properties may be performed just before performing step S3.*” (Emphasis added). Additionally, support can be found at paragraph [0026] of the application as filed (paragraph [0030] of the United States Published Application No. 20040090470), which states. “If the backup is successfully completed, step S2 of the method shown in FIG. 2 will be performed. Steps S108 to S113 correspond to step S2. In step S108, the controller 30 receives a request for displaying an icon control window from a user through the user interface unit 10. Next, the controller 30 reads the icon display properties of the display system (S109) and determines the property values are valid (S110). If the property values are determined to be valid, the controller 30 displays an icon control window that maps with the valid property values on the display screen of the display unit 50 (S111). On the other hand, if the property values are determined to be invalid in step S110, the controller 30 changes the invalid values to valid values (S112) and displays an icon control window that maps with the changed property values (S111).”

In this regard, a user's inputs for a new icon appearance, which are received through the icon control window, automatically trigger backing up of the display properties by generating a first registry subkey in a memory of the display system if the display properties are determined to be valid and storing the display properties in a corresponding registry. In addition, the backing up of the display properties occurs immediately prior to the changing the at least one icon appearance of the display system by changing the display properties in accordance with the user inputs.

The Bogdan patent does not teach or suggest backing up the display properties immediately prior to changing the at least one sample icon's appearance. The Examiner states in the current Office Action (page 3, last line – page 4, first line) that the Bogdan patent teaches, at column 4, lines 26-27, saving additional system metrics scheme by pressing the "Save Scheme" button 76. However, this process does not occur automatically in response to the inputs for a new icon appearance being received from the user through the icon control window nor does it occur immediately prior to changing the icon appearance of the display system by changing the display properties in accordance with user inputs. The action of pressing the "Save Scheme" button requires user interaction and, as such, does not occur automatically in response to the inputs for a new appearance.

Further, the Applicant reasons that pressing the "Save Scheme" metrics merely provides for an additional metric scheme to be stored in device memory. The Applicant *assumes* that in order to have the saved scheme displayed in section 68, a user would need to access the drop down list box 74, and activate/choose the newly saved additional scheme from amongst the list of saves schemes. Once activated/chosen, the scheme becomes the currently selected system metrics scheme that is active on the device. This is categorically different from the claimed invention, in which the display properties are backed up automatically, in response to a user input for a new icon appearance and immediately prior to changing the at least one sample icon's appearance in accordance to inputs for a new icon appearance being received from a user through the icon control window. Stated in the alternate, the claimed invention provides for user inputs for a new icon appearance to be made through the icon control window, the inputs trigger

backing up display properties of the display system, followed immediately by changing the at least one sample icon's appearance for a user's preview of the new icon appearance.

Additionally, the Applicant points out that the Bogdan patent teaches at column 4, lines 35-36, a process for removal of a saved scheme, i.e., removal of the scheme from the list. This is accomplished by pressing or activating the "Removal Scheme" button 78. This action further suggests that no backing up of display properties occurs *automatically* as an initial process step coinciding with user input for a new icon appearance.

In the current Office Action, the Examiner relies on the Bogdan teachings at column 3, lines 23-32, which states, "The bitmaps are then transferred using the BitBlt() function (such as described in the Background of the Invention) from the display drivers to the bitmap cache 52 [step 56]. However, as noted this citation refers back to the background section, for example, column 2, lines 14-20, which describe a well known caching of bitmaps to enable another application to redraw the bitmaps as necessary. Applicant, rightfully and respectfully, asserts that this process occurs *after* any possible "preview" stage and, in accordance with the teachings of the Bogdan patent, occurs at step 60 of Figure 4, which is described in Bogdan at column 4, line 62 – column 5, line 5. As Bogdan notes, at column 4, line 62, this is a "separate routine" that is provided by the operating system 48 and provides for bit-maps to be redrawn for the system-provided window elements each time that the system metrics are changed. However, the occurrence of these "separate routines", i.e., step 60 of Figure 4, occurs well after step 56 of Figure 4, which provides for transferring the bitmaps from display drivers to bitmap cache.

The Bogdan Patent Does Not Teach or Suggest Backing up Display Properties of the Display System Which are Currently Set for an Original Icon Appearance by Generating a First Registry Subkey in a Memory of the Display System if the Display Properties are Determined to be Valid

Independent claims 1, 14 and 23 of the present application specifically require backing up display properties of the display system which are currently set for an original icon appearance by generating a first registry subkey in a memory of the display system if the display properties are

determined to be valid. This backing-up procedure is a conditional backing up of display properties based on a user input for changing icon appearance.

The current Office Action (at page 4) relies on the Bogdan patent teachings, at column 2, lines 11-12 for a teaching of backing up the display properties if the display properties are determined to be valid (emphasis added). However, this citation in the Bogdan patent refers only to the display driver software's compatibility with the Microsoft operating system and is unrelated to a conditional backing-up of display properties. Thus, Applicant asserts that the Bogdan patent provides no teaching or suggestion of backing up display properties of the display system which are currently set for an original icon appearance by generating a first registry subkey in a memory of the display system *if the display properties are determined to be valid* (emphasis added), especially in relation to a method that limits the backing-up procedure to occurring automatically in response to the inputs for a new icon appearance being received from the user through the icon control window.

The Bogdan Patent Does Not Teach or Suggest Changing the at Least One Sample Icon's Appearance According to Inputs for a New Icon Appearance Being Received from a User Through the Icon Control Window

Independent claims 1, 14 and 23 limit the claimed invention by requiring changing the at least one sample icon's appearance according to the inputs for a new icon appearance being received from a user through the icon control window.

The Bogdan patent does not teach or suggest changing the at least one sample icon's appearance according to the inputs for a new icon appearance being received from a user through the icon control window. The Examiner asserts in the current Office Action, at page 5 that the Bogdan patent teaches this element of the claimed invention, at column 4, lines 52-58, which states, “after the user has finalized the changes and exited the dialog box 64, the bitmaps stored in the bitmap cache 52 (FIG.3) are redrawn in response to the user request...” However, Applicant asserts that this reference clearly refers to redrawing stored bitmaps as an action performed “after the user has finalized the changes and exited the dialog box 64” (Bogdan,

column 4, lines 52-53), which is after the possibility of any assumed “preview” stage has lapsed. This reading of the teaching of the Bogdan patent are further supported at column 4, lines 64, which is directed to step 60 of Figure 4. Additionally, as the Applicant has asserted in previous communications, the bitmaps taught by the Bogdan patent are assuredly not equivalent to the display properties in the presently claimed invention.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of Claim 1, 14 and 23. Claims 2, 3, 8-13, 15, 16, 21, 22, 24, 25, 30-35 and 37-38 are believed allowable for at least the same reasons as presented above with respect to Claims 1, 14 and 23 by virtue of their dependence from Claims 1, 14 and 23.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 4-5, 17-18 and 26-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the Bogdan patent in further view of United States Patent Publication No. 2002/0054144, authored by Morris-Yates et al. (hereinafter the Morris-Yates publication). Applicant respectfully submits that these rejections are overcome by the following arguments.

Claims 4-5 depend from independent Claim 1. Claims 17-18 depend from independent Claim 14, Claims 26-27 depend from independent Claim 23. Therefore, the arguments presented above with respect to Claims 1, 14 and 23 are equally applicable to Claims 4-5, 17-18 and 26-27 and, as such Claims 4-5, 17-18 and 26-27 are believed allowable for at least the same reasons as presented above with respect to Claims 1, 14 and 23 by virtue of their dependence from Claims 1, 14 and 23.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejections of Claim 4-5, 17-18 and 26-17.

Conclusion

Therefore, all objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance and a Notice to that effect is earnestly solicited.

Should any questions remain unresolved, the Examiner is encouraged to contact the undersigned attorney for Applicants at the telephone number indicated below in order to expeditiously resolve any remaining issues.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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